

APR 13 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

BRUCE DWAYNE BARNES,)	
)	
Petitioner,)	Case No. 7:10-cv-544
)	
v.)	<u>ORDER</u>
)	
WARDEN, POCAHONTAS STATE)	By: Hon. Glen E. Conrad
CORRECTIONAL CENTER,)	Chief United States District Judge
)	
Respondent.)	

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The respondent's motion to dismiss shall be and hereby is **GRANTED**;
2. A certificate of appealability is **DENIED**; and
3. The petition for writ of habeas corpus filed by the petitioner shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 13th day of April, 2011.

[Signature]

Chief United States District Judge